

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

KEITH BLEVINS,

Plaintiff,

v.

Civil Action No. 15-6244

CAROLYN W. COLVIN,
Acting Commissioner of the
Social Security Administration,

Defendant.

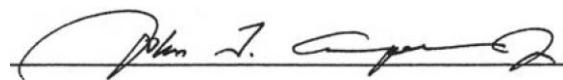
MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Cheryl A. Eifert, entered on February 11, 2016; and the magistrate judge having recommended that the court grant plaintiff Keith Blevins' motion for judgment on the pleadings, to the extent that it requests remand, deny the Commissioner's motion for judgment on the pleadings, reverse the final decision of the Commissioner, remand this matter pursuant to sentence four of 42 U.S.C. § 405(g), and dismiss this action from the docket of the court; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

1. The Proposed Findings and Recommendation be, and it hereby is, adopted by the court and incorporated herein;
2. Plaintiff Keith Blevins' motion for judgment on the pleadings be, and it hereby is, granted insofar as he requests remand to the Commissioner for further proceedings and otherwise denied;
3. The Commissioner's request for judgment on the pleadings be, and it hereby is, denied; and
4. The decision of the Commissioner be, and it hereby is, reversed and this claim is remanded to the Commissioner for further proceedings pursuant to the fourth sentence of 42 U.S.C.A. § 405(g), which proceedings shall include an assessment of the plaintiff's mental impairments and their functional effects, as more fully set forth in the Proposed Findings and Recommendation.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and any unrepresented parties.

DATED: April 6, 2016



John T. Copenhaver, Jr.
United States District Judge